

MINUTES
REGULAR MEETING

Of the City Council of the Town of Colma
City Hall, 1198 El Camino Real
Colma, CA 94014

Wednesday, June 8, 2005
7:30 p.m.

PLEDGE OF ALLEGIANCE - CALL TO ORDER

ROLL CALL – Mayor Philip J. Lum, Jr. called the Regular Meeting of the City Council for the Town of Colma to order at 7:38 p.m.

Council Present – Mayor Philip Lum, Vice Mayor Helen Fisicaro and Council Members Joseph Silva, Frossanna Vallergera and Claro “Larry” R. Formalejo.

Staff Present: – Assistant City Manager Laura Allen, Chief of Police Robert Lotti, City Attorney Roger Peters, Director of Recreation Services Brian Dossey, City Engineer Rick Mao, City Planner Malcolm Carpenter, Deputy City Planner Andrea Ouse, and Deputy City Clerk Anita Landis Thorsnes.

Also Present: City Treasurer, Rae Gonzalez

PUBLIC COMMENTS

Open to public comments.
No comments.

Close public comments.

PRESENTATIONS

1. Introduction of New Employee, William Kwan, Maintenance Technician

CONSENT CALENDAR

2. Motion to Accept Minutes of May 11, 2005 Regular City Council Meeting
3. Motion to Approve Warrants List for May 1-31, 2005
4. Motion to Approve Resolution 2005-36 AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR CUSTOMIZED FURNITURE WITHIN THE NEW POLICE FACILITY WITH COMTRONIX OF HEMET
5. Motion to Approve Resolution 2005-37 RECOMMENDING THE SAN MATEO COUNTY FLOOD CONTROL DISTRICT TO IMPOSE *BASIC* CHARGES FOR FUNDING THE 2005-2006 COUNTYWIDE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PROGRAM AND DIRECTING THE CITY MANAGER TO PAY *ADDITIONAL* CHARGES OUT OF THE TOWN'S GENERAL FUND
6. Motion to Adopt Ordinance 631 AMENDING THE NUISANCE ABATEMENT ORDINANCE, MUNICIPAL CODE SECTION 1.11.140 - ***Second Reading***
7. Motion to Approve Resolution 2005-38 ESTABLISHING PROCEDURES FOR COMPLETING, RETURNING, AND TABULATING PROTESTS TO PROPOSED INCREASES IN SEWER SERVICE CHARGES
8. ~~RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR LANDSCAPE MAINTENANCE SERVICES WITH SEGALE & CERINI, INC.~~
[Item 8 was pulled from the Consent Calendar for discussion.]
9. ~~RESOLUTION APPROVING AMENDMENT NO. 2 TO JOINT EXERCISE OF POWERS AGREEMENT TO CREATE, OPERATE AND GOVERN THE COLMA FIRE PROTECTION AUTHORITY~~ [Item 9 was removed from the consent calendar, and will be placed on next month's agenda.]

Action: On the motion of Helen Fisicaro, seconded by Joseph Silva, THE COUNCIL APPROVED ITEMS 2-7 OF THE CONSENT CALENDAR by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva	✓				
Frossanna Vallergera	✓				
Larry Formalejo	✓				
Voting Tally	5	0			

Items Carried Over from Consent Calendar

8. RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR LANDSCAPE MAINTENANCE SERVICES WITH SEGALE & CERINI, INC.

Report: City Engineer Rick Mao gave the report and explained the selection process for landscape maintenance services.

Open to public comments.

No comments.

Close public comments.

Action: On the motion of Frossanna Vallergera, seconded by Larry Formalejo, the Council approved Resolution 2005-39 AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR LANDSCAPE MAINTENANCE SERVICES WITH SEGALE & CERINI, INC. by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Philip J. Lum, Jr.	✓				
Helen Fiscaro	✓				
Joseph Silva	✓				
Frossanna Vallergera	✓				
Larry Formalejo	✓				
Voting Tally	5	0			

PUBLIC HEARINGS

10. **Consider:** Resolution Approving Conditional Use Permit to Use Property at 442 D Street, for a Home Office (APN 008-143-050)

Mayor Lum recused himself from participating in this matter and left the room prior to discussion, after announcing that he was disqualified because he was the applicant in this matter.

Council Members Silva, Vallergera and Fiscaro disqualified themselves due to a possible conflict of interest because their property is within 500 feet of the applicant's property. By random drawing of cards, 2 council members, Vallergera and Silva, were selected to hear the matter along with Council Member Formalejo.

Council Member Fiscaro recused herself from participating and left the room.

Report: Deputy City Planner, Andrea Ouse gave the report and recommended that the City Council make the findings set forth therein and grant a Conditional Use Permit to operate a home office for a courier business, subject to standard and project specific conditions.

Open to public comments.

No comments.

Close public comments.

Action: On the motion of Joseph Silva, seconded by Larry Formalejo, the Council approved Resolution 2005-40 APPROVING CONDITIONAL USE PERMIT TO USE PROPERTY AT 442 D STREET, FOR A HOME OFFICE (APN 008-143-050) by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Philip J. Lum, Jr.				✓	
Helen Fisicaro				✓	
Joseph Silva	✓				
Frossanna Vallergera	✓				
Claro Formalejo	✓				
Voting Tally	3	0			

NEW BUSINESS

11. ~~**Consider:** Interim Urgency Ordinance Making Findings and Establishing Temporary Moratorium on the Establishment and Operation of Medical Marijuana Dispensaries~~

Pulled, on staff's recommendation.

12. ~~**Consider:** Appointing Andrea Ouse as City Planner Effective July 1, 2005~~

Pulled. Deferred to next month's meeting.

COUNCIL CALENDARING

Regular Meeting: July 13, 2005 7:30 P.M.
Town Picnic Saturday June 11th, in Saratoga.

REPORTS

Fire JPA: City Attorney Roger Peters reported on the legal organization of the JPA; and the independent consultants who serve the Town and the JPA.

Mayor: Mayor Lum reported that during the past month he and Council Member Formalejo had attended the North San Mateo County Council of Cities [NSMCCC] meeting; and presented a Proclamation to the Honorable Former Philippine President Ramos at the Colma-Daly City Chamber of Commerce function held at the San Francisco Olympic Club.

City Council: Vice Mayor Fisicaro announced the Thomas Pollicita Gymnasium groundbreaking is scheduled for Saturday June 11th, the same day as the Town Picnic, and that the Town has made a substantial contribution to the project.

ADDITIONAL PUBLIC COMMENTS

City Treasurer Rae Gonzalez raised issues and asked questions on various tems.

ADJOURNMENT

Council adjourned the Regular meeting at 8:08 p.m., in memory of Rich Anderson and Danny Mibelli.

Respectfully Submitted,

Anita Landis Thorsnes
Deputy City Clerk
Approved by Council July 13, 2005